

§ 52.988 [Reserved]**§ 52.990 Stack height regulations.**

The State of Louisiana has committed to submit to EPA a SIP revision whenever a new or revised emission limitation for a specific source exceeds the height allowed by Section 921(A) "Good Engineering Practice (GEP) Stack Height 1 or 2" of the State regulations. A letter from the Secretary of Louisiana Department of Environmental Quality, dated September 23, 1986, stated that:

In specific, the State regulation, Section 17.14.2 [now LAC 33: Part III, Section 921(B)], provides that the degree of emission limitation required of any source for control of any air pollutant must not be affected by so much of any source's stack height that exceeds good engineering practice or by any other dispersion technique. In reference to this requirement, the Louisiana Department of Environmental Quality or the Administrative Authority will submit to EPA a SIP revision whenever the Louisiana Department of Environmental Quality adopts a new or revised emission limitation for a specific source that is based on a stack height that exceeds the height allowed by Section 17.14.1(e)(1) [now LAC 33: Part III, Section 921(A) "Good Engineering Practice (GEP) Stack Height 1"] or Section 17.14.1(e)(2) [now LAC 33: Part III, Section 921(A) "Good Engineering Practice (GEP) Stack Height 2"].

[53 FR 36010, Sept. 16, 1988]

§ 52.991 Small business assistance program.

The Governor of Louisiana submitted on October 22, 1992, a plan revision to develop and implement a Small Business Stationary Source Technical and Environmental Compliance Assistance Program to meet the requirements of section 507 of the Clean Air Act by November 15, 1994. The plan commits to provide technical and compliance assistance to small businesses, hire an Ombudsman to serve as an independent advocate for small businesses, and establish a Compliance Advisory Panel to advise the program and report to EPA on the program's effectiveness.

[59 FR 32360, June 23, 1994]

§ 52.992 Area-wide nitrogen oxides exemptions.

(a) The Louisiana Department of Environmental Quality submitted to the

EPA on August 5, 1994, a petition requesting that the nonclassifiable ozone nonattainment areas in the State of Louisiana be exempted from the requirement to meet the NO_x provisions of the Federal transportation conformity rule. The exemption request was based on monitoring data which demonstrated that the National Ambient Air Quality Standard for ozone had been attained in this area for the 3 years prior to the petition. The parishes for which the NO_x exemption was requested include: Beauregard, Grant, Lafayette, Lafourche, Jefferson, Orleans, St. Bernard, St. Charles, St. James, and St. Mary. The EPA approved this exemption request on March 2, 1995.

(b) The LDEQ submitted to the EPA on November 17, 1994, a petition requesting that the Baton Rouge serious ozone nonattainment area be exempted from the NO_x control requirements of the CAA. In addition, supplemental information was submitted to the EPA by the LDEQ on January 26, 1995, June 6, 1995, and June 16, 1995. The Baton Rouge nonattainment area consists of East Baton Rouge, West Baton Rouge, Pointe Coupee, Livingston, Iberville, and Ascension Parishes. The exemption request was based on photochemical grid modeling which shows that reductions in NO_x would not contribute to attainment in the nonattainment area. On January 18, 1996, the EPA approved the State's request for an areawide exemption from the following requirements: NO_x new source review, NO_x reasonably available control technology, NO_x general conformity, and NO_x inspection and maintenance requirements.

(c) The LDEQ submitted to the EPA on July 25, 1995, a revision to the SIP, pursuant to section 182(b)(1), requesting that the Baton Rouge serious ozone nonattainment area be exempted from the transportation conformity NO_x requirements of the CAA. The Baton Rouge nonattainment area consists of East Baton Rouge, West Baton Rouge, Pointe Coupee, Livingston, Iberville, and Ascension Parishes. The exemption request was based on photochemical grid modeling which shows that additional reductions in NO_x would not

contribute to attainment in the non-attainment area. On February 12, 1996, the EPA approved the State's request for an areawide exemption from the transportation conformity NO_x requirements.

(d) The LDEQ submitted to the EPA on October 28, 1994, a petition requesting that the Lake Charles marginal ozone nonattainment area be exempted from the NO_x control requirements of the Act. The Lake Charles nonattainment area consists of Calcasieu Parish. The exemption request was based on photochemical grid modeling which shows that reductions in NO_x would not contribute to attainment in the nonattainment area. On May 27, 1997, the EPA approved the State's request for an area-wide exemption from the following requirements: NO_x new source review, NO_x general conformity, and NO_x transportation conformity requirements. The waiver was granted on the basis of modeling, and ambient air quality data demonstrating the area has attained the ozone NAAQS.

(e) On September 24, 2001, and on December 31, 2001, the LDEQ requested that EPA rescind the Baton Rouge section 182(f) and 182(b)(1) NO_x exemptions that were approved by EPA, and published in the FEDERAL REGISTER on January 26, 1996 (61 FR 2438), and February 27, 1996 (61 FR 7218). The State based its request on photochemical grid modeling recently performed for the Baton Rouge State Implementation Plan (SIP) which indicates that controlling NO_x sources will assist in bringing the Baton Rouge area into attainment with the National Ambient Air Quality Standard (NAAQS) for ozone. On May 7, 2002, EPA proposed approval of the State's request to rescind both NO_x exemptions. Based on our review of the State's request and the supporting photochemical grid modeling the NO_x exemptions are rescinded on May 5, 2003.

[60 FR 5864, Jan. 31, 1995, as amended at 61 FR 2446, Jan. 26, 1996; 61 FR 7221, Feb. 27, 1996; 62 FR 29078, May 29, 1997; 68 FR 23604, May 5, 2003]

§ 52.993 Emissions inventories.

(a) The Governor of the State of Louisiana submitted the 1990 base year emission inventories for the Baton

Rouge (BTR) and Calcasieu Parish (CAL) ozone nonattainment areas on November 16, 1992 as a revision to the State Implementation Plan (SIP). The 1990 base year emission inventory requirement of section 182(a)(1) of the Clean Air Act, as amended in 1990, has been satisfied for each of these areas.

(b) The inventories are for the ozone precursors which are volatile organic compounds, nitrogen oxides, and carbon monoxide. The inventories cover point, area, non-road mobile, on-road mobile, and biogenic sources.

(c) The BTR nonattainment area is classified as Serious and includes Ascension, East Baton Rouge, Iberville, Livingston, Point Coupee, and West Baton Rouge Parishes; the CAL nonattainment area is classified as Marginal and includes Calcasieu Parish.

(d) On December 15, 1995, the Governor of the State of Louisiana submitted a revision to the 1990 base year volatile organic compound (VOC) emissions inventory for the Baton Rouge, Louisiana ozone nonattainment area. The revised inventory was submitted as part of the revised Baton Rouge 15 Percent Rate-of-Progress Plan. This revision to the base year inventory modified the point source VOC emissions. The revisions satisfy the requirements of section 182(a)(1) of the Clean Air Act, as amended in 1990.

(e) On January 2, 1997, the Governor of the State of Louisiana submitted a revision to the 1990 base year volatile organic compound (VOC) emissions inventory for the Baton Rouge, Louisiana ozone nonattainment area. The revised inventory was submitted as part of the revised Baton Rouge Post-1996 Rate-of-Progress Plan. This revision to the base year inventory modified the point, area, non-road mobile, on-road mobile, and biogenic sources of VOC emissions. The revisions satisfy the requirements of section 182(a)(1) of the Clean Air Act, as amended in 1990.

[60 FR 13911, Mar. 15, 1995, as amended at 64 FR 35941, July 2, 1999]